

Military Family Leave

DEFINITIONS

Active duty: Full-time service on active duty orders in: the armed forces of the United States; or the National Guard; for a period that exceeds 89 consecutive calendar days.

Armed forces of the United States: Active or reserve components of (1) the Army; (2) the Navy; (3) the Air Force; (4) the Coast Guard; (5) the Marine Corps or (6) the Merchant Marine.

Eligible employee: An employee who
(1) has been employed by state of Indiana for at least 12 months;
(2) has worked at least 1,500 hours during the 12-month period immediately preceding the day the leave begins; and
(3) is the spouse, child, parent, grandparent or sibling of a person who is ordered to active duty.

Grandparent: Biological, adoptive, foster or step grandparent.

National Guard: Indiana Army National Guard or Indiana Air National Guard.

Parent: A biological, adoptive, foster, or step father or mother or a court-appointed guardian or custodian.

Sibling: A biological, adoptive, foster, or step brother or sister.

Spouse: A husband or wife under IC 31-11-1.

RESPONSIBILITIES

Employees are responsible for:

- knowing the amount of his/her leave balances;
- identifying any paid leave or compensatory time s/he requests to use during this leave;
- requesting leave only for appropriate uses and at appropriate times; and
- complying with all requirements for securing leave.

Supervisors are responsible for:

- implementing this policy in an appropriate and consistent manner;
- developing or distributing agency procedures for employees to follow to secure military family leave, including identifying persons to be notified with requests for leave and any required notification procedures or forms;
- approving leave only for eligible employees and appropriate uses as outlined below;
- taking appropriate actions, including discipline, when an employee fails to abide by the requirements of this and related attendance and leave policies.

PROCEDURES

Eligible employees may take a leave of absence during one or more of the following periods:

- (1) During the 30 days before active duty orders are in effect;
- (2) During a period in which the person ordered to active duty is on leave while active duty orders are in effect; and/or
- (3) During the 30 days after the active duty orders are terminated.

An employee who wants to take a leave of absence under this policy shall provide written notice, including a copy of the active duty orders if available, to the supervisor or other designated management official of the date the leave will begin. Such notice shall be given at least 30 days before the date on which the employee intends to begin leave, unless the active duty orders are issued less than 30 days before the date the requested leave is to begin.

The leave of absence may not exceed the equivalent of 10 working days in each calendar year.

The employee may choose to use accrued vacation or personal leave or earned compensatory time off to remain in pay status during a leave under this policy. Requests to use accrued paid leave or earned compensatory time during this leave must be included in the employee's request for leave.

REFERENCES

IC 22-2-13

FORMS

Military Family Leave Request ([Download](#))